## 11-15844-jlg Doc 80 Filed 03/18/13 Che New Hork Times

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UNITED STATES		
SOUTHERN DIS	STRICT OF	<b>NEW YORK</b>
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Bay Condos LLC,

Case No. 11-15844

Bay Condos LLC, Case No. 11-15844

Debtor.

NOTICE OF SALE

PLEASE TAKE NOTICE, that upon the application of 11 East 36 Note Buyer LLC ("Proponent") in the case of Bay Condos LLC ("Proponent") in the case of Bay Condos LLC ("Proponent") in the case the real property located at 11 East 36th Street, New York, New York shall be sold to the highest bidder at an auction sale to be conducted on April 8, 2013 at 2:00 p.m. at the offices of Backenroth Frankel 8 Krinsky, LLP, 489 Fifth Avenue, New York, New York 10017. The Property shall be sold 'as is." Bidding shall be limited to all cash offers, and the minimum opening bid shall be \$1,500,000 and bidding shall be increments of \$25,000. All prospective bidders except Proponent or its designee shall be required to deposit \$150,000 (the "Deposit") in seconw with the undersigned counsel by bank check or wire deposit on or before April 1,2013 at 5:00 p.m. Subject to the approval of the Bankruptcy Court at a hearing ("Hearing") to be held on April 30,2013 at 10:00 a.m., or as soon thereafter as counsel can be heard, before the Honorable James M. Peck, the highest bidder shall be the purchaser (the "Purchaser") of the Property, free and clear of all liens, claims commercial leases not assumed under the Plan and encumbrances, with any such liens, claims and encumbrances to attach to the proceeds of sale. The Deposit shall be non-refundable. In the event the Purchaser closes on or before fifteen days after the entry of an order approving the sale, the Deposit shall be remitted to the Proponent. Time shall be of the essence in the closing of this transaction. In the event Purchaser falls to close as set forth herein, then the Proponent shall have the light to accept the bid next highest in amount to the original Purchaser's bid.

PLEASE TAKE FURTHER NOTICE, that a complete copy of the terms and conditions of sale is attached to

PLEASE TAKE FURTHER NOTICE, that a complete copy of the terms and conditions of sale is attached to the Proponent's Chapter 11 plan filed in the Bankruptcy Court and is available upon request of the undersigned.

Dated: New York, New York March 12, 2013

Backenroth Frankel & Krinsky, LLP 489 Fifth Avenue New York, New York 10017 (212) 593-1100

## CERTIFICATION OF PUBLICATION

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of the Publisher of <b>Ehr New Hork</b> circulation printed and published York, hereby certify that the advertion the editions of <b>Ehr New Hork</b> to wit on	k <b>Eimes</b> a daily newsp in the City, County and tisement annexed hereto	aper of general d State of New o was published
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	_ Alice	Weber

Approved:

THIS CERTIFICATION NOT VALID WITHOUT NYT RAISED SEAL

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## The New Hork Times

620 8TH AVENUE • NEW YORK, NY 10018

UNITED STAT	ES BANKR DISTRICT	UPTCY OF NEW	COURT

Bay Condos LLC,

Chapter 11 Case No. 11-15844

NOTICE OF SALE

Debtor.

NOTICE OF SALE

PLEASE TAKE NOTICE, that upon the application of 11 East 36 Note Buyer LLC ("Peroponent") in the case of Bay Condos LLC ("Debtor"), the Debtor's 97.2% interest in commercial units 101 and 102 (the "Units") at the real property located at 11 East 36th Street, New York, New York shall be sold to the highest bidder at an auction sale to be conducted on April 8, 2013 at 2:00 p.m. at the offices of Backenroth Frankel & Krinsky, LLP, 489 Fifth Avenue, New York, New York 10017. The Property shall be sold "as is." Bidding shall be limited to all cash offers, and the minimum opening bid shall be \$1,500,000, and bidding shall be increments of \$25,000. All prospective bidders except Proponent or its designee shall be required to deposit \$150,000 (the "Deposit") in ascrow with the undersigned counsel by bank check or wire deposit on or before April 1, 2013 at 5:00 p.m. Subject to the approval of the Bankrupty Court at a hearing "Hearing") to be held on April 30, 2013 at 10:00 a.m., or as soon thereafter as counsel can be heard, before the Honorable James M. Peck, the highest bidder shall be the purchaser (the "Purchaser") of the Property, free and clear of all liens, dalims commercial leases not assumed under the Plan and encumbrances to attach to the proceeds of sale. The Deposit shall be applied to the purchaser propering the sale, the Deposit shall be applied to the purchase price. In the event Purchaser alias to close on or before fifteen days after the entry of an order approving the sale, the Deposit shall be close on or before fifteen days after the entry of an order approving the sale, the Deposit shall be close on the propents. The shall be of the essence in the closing of this transaction. In the event Purchaser fails to close on or before fifteen days after the entry of an order approving the sale, the Deposit shall be colored to accept the bid next highest in amount to the original Purchaser's bid.

PLEASE TAKE FURTHER NOTICE, that a complete copy of the terms and conditions of sale is

original Purchasers bill.

PLEASE TAKE FURTHER NOTICE, that a complete copy of the terms and conditions of sale is attached to the Proponent's Chapter 11 plan filed in the Bankruptcy Court and is available upon request of the undersigned. Dated: New York, New York March 12, 2013

Backenroth Frankel & Krinsky, LLP 489 Fifth Avenue New York, New York 10017 (212) 593-1100

## CERTIFICATION OF PUBLICATION

of the Publisher of <b>Ehe</b> ; circulation printed and pury York, hereby certify that	, in my capacity as a New York Eimes a daily news ablished in the City, County at the advertisement annexed here aw Hork Eimes on the following	paper of general nd State of New to was published
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Approved:	alu	Weber

Maria Fannullo

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